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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,837	11/14/2000	Yoshiko Miyamoto	1341,1071 (JDH:MJH)	5630
21171	7590	12/01/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			DUONG, THOMAS	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/710,837

Applicant(s)

MIYAMOTO, YOSHIKO

Examiner

Thomas Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Amendment***

1. This office action is in response to the amendment filed on June 25, 2004. The amendment filed on June 25, 2004 has been entered and made of record. *Claims 1-7* are presented for further consideration and examination.

### ***Response to Argument***

2. The Examiner appreciate the Applicants' correct interpretation of the previous Office Action regarding the 35 U.S.C. §102(e) rejection. It is the Examiner's intention to reject *claims 1-6* under 35 U.S.C. §102(e) as being anticipated by Glass (US006629128B1) even though the heading only states *claims 1-5*. The Examiner has corrected this mistake below.
3. The Applicants' arguments and amendments filed on June 25, 2004 have been fully considered, but they are not persuasive.
4. With regard to *claims 1 and 5-6*, the Applicants point out that:
  - *In contrast, in Glass, the object reference for referring server objects is generated, but Glass fails to disclose that the object reference for a naming service is dynamically generated. Namely, in Glass, a server-side local reference generator generates a local reference object that includes an address of the server object and a type of the server (col. 4, lines 29-31).*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that the Glass reference does disclose,

- *a generating unit which generates the object reference by dynamically setting address information contained in the object reference in accordance with connection information at a time of the request.* (Glass, col.3, lines 46-51; col.4, lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-61; col.10, lines 48-59; fig.3-4)

Glass anticipates an embodiment of the invention where the server *"also dynamically generates remote proxies and other objects to provide communications across the network"* (col.4, lines 43-46). Furthermore, Glass states that *"the remote proxy generator resides in the server-side object request broker and instantiates the remote proxy class to create a remote proxy object"* (col.4, lines 8-10) and that *"a system constructed using the principles outlined in this patent application dynamically generates remote proxy classes as needed at run-time"* (col.6, lines 51-54). Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

5. With regard to claims 2-4 and 7, they are rejected at least by virtual of their dependency on the independent claims and by other reasons set forth in the previous office action. Accordingly, rejections for *claims 2-4 and 7* are presented as below:

***Claim Rejections - 35 USC § 102***

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6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Glass et al. (US006629128B1).

8. With regard to claims 1, 5 and 6, Glass reference discloses,

- *a request receiving unit which receives a request from a client connected via a network to acquire an object reference for receiving a distribution of a naming service in CORBA; and* (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 13)
- *a generating unit which generates the object reference by dynamically setting address information contained in the object reference in accordance with connection information at a time of the request.* (Glass, col.3, lines 46-51; col.4, lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-61; col.10, lines 48-59; fig.3-4)

Glass anticipates an embodiment of the invention where the server *“also dynamically generates remote proxies and other objects to provide communications across the network”* (col.4, lines 43-46). Furthermore, Glass states that *“the remote proxy generator resides in the server-side object request broker and instantiates the remote proxy class to create a remote proxy object”* (col.4, lines 8-10) and that *“a system constructed using the principles outlined in this patent application dynamically generates remote proxy classes as needed at run-time”* (col.6, lines 51-54). Therefore, the Applicants still failed to clearly disclose the novelty of the

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invention and identify specific limitation, which would define patentable distinction over prior art.

9. With regard to claims 2-4, Glass reference discloses the invention substantially as claimed,

See *claim 1* rejection as detailed above.

Furthermore, Glass reference discloses,

- *wherein said generating unit generates the object reference by setting at least the arrival address information contained in the connection information as the address information. (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 35; col.4, lines 29-38; fig.1-4)*
- *said object reference generating device comprising a system structure information control unit which controls system structure information showing a structure of a system in which an object reference is applied, wherein said generating unit generates the object reference by dynamically setting address information conforming to the structure of the system based on the system structure information. (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 35; col.4, lines 29-38; fig.1-4)*

10. With regard to claim 7, Glass reference discloses,

- *a request receiving unit which receives a request from a client connected via a network to acquire an object reference for receiving a distribution of a naming service in CORBA; and (Glass, abstract; col.1, lines 32-46; col.2, line 60 – col.3, line 13)*

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- *a generating unit which generates the object reference by dynamically setting address information contained in the object reference in accordance with connection information at a time of the request. (Glass, col.3, lines 46-51; col.4, lines 8-12, lines 43-46; col.6, lines 31-35, lines 39-47, lines 51-54; col.7, lines 56-61; col.10, lines 48-59; fig.3-4)*

Glass anticipates an embodiment of the invention where the server *"also dynamically generates remote proxies and other objects to provide communications across the network"* (col.4, lines 43-46). Furthermore, Glass states that *"the remote proxy generator resides in the server-side object request broker and instantiates the remote proxy class to create a remote proxy object"* (col.4, lines 8-10) and that *"a system constructed using the principles outlined in this patent application dynamically generates remote proxy classes as needed at run-time"* (col.6, lines 51-54). Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

### **Conclusion**

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated

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from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571/272-3923. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

*Thomas Duong (AU2143)*

*November 23, 2004*

  
JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER